Transportation Solutions Defense and Education Fund

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February 6, 2014
By E-Mail

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Re: LOS Alternatives

Dear Mr. Calfee:

The Transportation Solutions Defense and Education Fund is an environmental non-profit advocating the regional planning of transportation, land use and air quality. Our focus in recent years has been on reducing the impacts of transportation on climate change. We advocate for cost-effective transit and transportation demand management (TDM). While not directly relevant to this subject, we have attached an earlier TDM paper we wrote, proposing transportation control measures (TCMs) for an air quality plan, to stimulate thinking there at OPR. We offer the following comments on the *Preliminary Evaluation of Alternative Methods of Transportation Analysis*:

The statement of the problem and OPR's Goals and Objectives are very well done. We suggest adding the statutory language “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” to the list as individual bullet points, to make the list comprehensive.

Statewide vs. Transit Priority Area Applicability

We commented on the bill that statewide applicability for this change in CEQA was inappropriate, as conditions are very different. Now that this has become law, we suggest that OPR identify the factors that will be used to modify the initial trip generation, similar to the 4D factors. If these factors are developed properly, the net result should be to strongly differentiate areas that receive trip reductions (the transit priority areas) from those that are entirely auto-dependent. This would allow one rule to have statewide applicability. The factors that come to mind (not an exclusive list) are:

- degree of mixed-use in vicinity (availability of neighborhood-oriented retail, etc.)
- transit service quality (how many routes, how frequent?)
- pedestrian quality (interesting windows, continuous sidewalks, etc.)
- bicycle quality (bike lanes by class, signals modified for bikes)

Preferred Alternative

TRANSDEF prefers VMT without variants, as it is the most familiar. We are surprised by the reference to person-trips, as this measure typically refers to trips by all modes, and doesn't seem to belong with VMT. Its inclusion in the document stimulated our thinking, however. We came up with a new alternative: a cluster of Miles Traveled outputs, split out by mode: VMT, Transit MT, Walk MT, and Bike MT. We're not sure about the feasibility of this concept, but it does offer a very clear view of transportation impacts, in a manner that would be very useful for other planning purposes. If OPR liked the idea, travel models could be expanded to provide the additional outputs.

Regional vs. Local Transportation Impacts

While it is difficult to imagine the unintended consequences, the separation of regional and local transportation seems to make sense for "transportation-beneficial development" areas. MTC developed a more attractive term for this, Priority Development Areas, but unfortunately, an extreme right-wing backlash has attached controversy and uninformed opprobrium to the term.

It seems like the presumption of less-than-significant regional transportation impacts should tie into the SCS streamlining process, and be kept voluntary at the discretion of the local jurisdiction. Because the proposed presumption would eliminate the legal basis for funding regional infrastructure with a mitigation fee, a better approach would be analogous to a mitigated Negative Declaration. This, of course, would require a methodology that ties into the trip generation calculation for each mode.

Other Transportation Environmental Impacts

In our regional advocacy, we came across an unrecognized scarce resource in transportation that needs to be protected: sites for transit hubs. Because of the rigors of geometry and topography, certain locations--the Transbay Terminal in San Francisco is one, and the former Sacramento Amtrak platforms before they were "improved" is another--are vital to providing public transit that is both convenient to riders and cost-effective. Attracting large volumes of transit riders is key to future low-carbon mobility.

When the League of Women Voters' Eva Alexis first raised the topic of hubs, the obvious solution was the creation of an agency like BCDC, tasked with protecting scarce land resources. Another possibility would be creating the transit analog of the airport land use planning process. Either one would be a difficult political sell.

This OPR process could address this issue by adding to the checklist: "Has this site or a portion of it been identified as a future transit station or transit right-of-way? Is there a current transit station there now? How will transit ridership be affected?"

Items like these should trigger an analysis of the environmental impact of the loss of transit riders. e.g., the Capitol Corridor has lost considerable ridership since the Sacramento tracks were moved to a distant location, to allow a stadium to be built in the prime location. Environmental review should have disclosed these impacts, but it probably did not.

Air Quality

Unnecessary confusion came up in the Bay Area's SCS process because the GHG analysis improperly included the GHG reductions from the statewide Scoping Plan when those measures were not part of the project definition. OPR should clarify exactly what should be considered in project baseline calculations.

Safety

We have experience with a safety hazard that may not be adequately captured by roadway design guidelines: inadequate sight distances. We have posed CEQA challenges to several semi-rural projects that would have put a driveway on a winding road, where the sight distances would have been inadequate, given the speeds measured there. Before offering a blanket exemption for consistency with roadway design guidelines, please check into whether minimum sight distances (for both vertical and horizontal curves) are adequately set forth for various road speeds.

Modeling

I served on the working group convened by the CTC to revise the Regional Transportation Plan Guidelines in response to AB 32 and SB 375. The importance of integrated urban models in regional transportation planning cannot be overstated. It is clear to us that models that failed to deal adequately with induced demand have grossly distorted the transportation planning of the past three decades. The models have created a "to a man with a hammer, everything looks like a nail" mindset at Caltrans, in which adding capacity solves all transportation problems. Because of their lack of land use feedback, the models were incapable of predicting that new road capacity would fill up with new traffic. Bad models were a key support for decades of highway development, which created a state utterly dependent on the auto. California might have stopped building highways much earlier and adopted multi-modalism if better models had existed.

Caltrans has a flawed model that enables it to claim lower GHG emissions for what it terms "efficiency projects" (highway widenings). Caltrans EIRs make the bizarre claim that the increase in speed resulting from eliminating bottlenecks reduces GHG emissions. This modeling is incorrect because it is based on grams/mile of GHGs, which it claims are higher at very low speeds. This is meaningless, as total grams are the appropriate metric. The claim of reduced GHGs is especially dubious because highway widening (bottleneck removal) makes travel easier, thus resulting in increased VMT.

It is critical that OPR establish guidelines that stop the use of such models. It is impossible to do climate-sensitive transportation planning with models that show lower GHG emissions as traffic volumes increase. Models that are more localized need to be checked for this flaw as well.

Parking

Most parking problems in the project approval process arise from the fear that inadequately parked new development will result in an overflow of parking into adjacent areas, which often have parking shortages. Requiring a statement in the environmental document that residential parking permits are a feasible mitigation for potential

overflows could calm much of this problem. The factors involved in such permits: how many are available per household, how many total are to be issued (in a specified area, this provides certainty that parking will be available) and the cost per permit. Existing neighbors are protected from overflow because residents and/or employees of new development would be ineligible for such permits. (Perhaps after a specified number of years, they could become eligible, but only if there is surplus permit capacity on the street).

We have seen fascinating proposals on how the permit fees could be dedicated to local improvements on block-by-block basis or in a small area, thus providing a direct benefit to permit holders.

In areas where parking impacts can be significant, the policy question needs to be: is parking adequacy something that government or the market should regulate? As long as neighbors are protected (as described above), we favor a market-based approach rather than regulation via the environmental review process. We don't see parking impacts as environmental impacts.

Expertise

We suggest you explore the Victoria Transport Policy Institute website, www.vtpi.org for guidance. There is a tremendous depth of analysis there that is directly relevant to this effort.

Conclusion

TRANSDEF previously provided comments to OPR staff as they were preparing this paper. We would be pleased to have further discussions with you, and help in whatever way we can.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President

Attachment: TDM Paper

TRANSPORTATION SOLUTIONS DEFENSE AND EDUCATION FUND

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Proposed New TCMs to Reduce Travel Demand of Existing Bay Area Residents

TCM 1 Promote local public agency commitment to TDM and TSM: Before any City, County, Transit Operator or other agency can receive a transportation improvement or funds resulting from any action by MTC, ABAG or BAAQMD, it must provide a certificate of compliance that it has completed the following actions: [Items below apply only to agencies with land use jurisdiction, unless otherwise noted in brackets.] The TCM will become effective 18 months following SIP adoption.

A. Reduce everyday SOV commute travel demand by providing economic incentives at both trip ends for alternative transportation modes, including carpool, bike, walking and transit. Provide economic incentives for existing employment sites to establish Commuter Choice programs (no authority currently exists to mandate participation.)

1. Establish a Commuter Choice program for agency employees. [All agencies.]

2. Adopt an ordinance that authorizes the case-by-case retroactive reduction of parking ratios for existing employment sites, based on three years experience with a Commuter Choice program. Upon execution and deed-recording of a contract to permanently maintain the program, or a substantially similar replacement program that accomplishes and maintains a comparable or greater reduction in SOV commuting, the applicant may re-develop the excess parking area, following an application and entitlement process.

3. Make a permanent employee Commuter Choice program a mandatory condition of approval for any land use entitlement or use permit for an employment site with 10 or more employees.

4. Require Commuter Choice programs to meet minimum requirements established by MTC, including parking cash out, van pool support, commuter check, and bike improvements. [Further details will be developed.] [All agencies.]

5. Adopt ordinance that requires that where parking is leased along with residential and commercial rental property, it is available only by separate lease (i.e., parking is unbundled upon lease renewal to provide no-car or low-car households with the option of lower housing costs. Also, employers will be able to easily identify the cost of parking for their parking cash-out program).

B. Enact disincentives to everyday SOV commute travel by increasing the cost of commuter parking.

1. Implement market-based charges for agency-owned public parking lots. Eliminate monthly parking arrangements (thus making parking an undiscounted daily out-of-pocket experience). [All agencies.]

2. Raise the commercial lot parking tax for the peak am period of 7 am to 10 am to a level consistent with a schedule created by MTC, but no less than 300% of its 2001 level. [Further details will be developed.]

C. Secure local agency support for assisting surface transit vehicles to move faster through traffic, thereby making transit more competitive with the SOV. Commit to apply for funding for signal preemption and transit priority projects when and if requested by Transit Operator.

TCM 2 Provide more funding for urban transit service:

A. Set new 5 year ridership increase targets (at least 10%) for transit operators on a county by county basis.

B. MTC will dedicate 60% of its transit capacity expansion funding to projects that rank as the most cost-effective projects submitted, based on operating and capital cost per new rider.

C. MTC will exert maximal efforts to provide transit operating funds to meet those targets, including the flexing of STP, CMAQ and RIP funding and the capitalization of preventive maintenance.

D. MTC will modify the regional allocation formulas based on population by adding to each county's residents the residents of other counties that work there.

TCM 3 Congestion pricing on bridges: Raise tolls during peak periods. Use surplus revenues to fund transit pass affordability for low income travellers.

TCM 4 Reestablish legislative authority for Trip Reduction Ordinances: MTC and BAAQMD will lobby the legislature for authority to require charges for parking spaces on commercial property, subject to local parking tax.

TCM 5 CMAQ allocation optimization. MTC shall allocate CMAQ funds separately from other sources. Project submissions shall be prioritized so that the ones providing the most cost-effective air quality benefits (as modified by environmental justice considerations) get funded first. [If this formulation doesn't qualify as a TCM, it should be an OAP commitment until the region attains NAAQS.]

Proposed New TCMs to Reduce Travel Demand of Future Bay Area Residents

TCM 6 Indirect source review: BAAQMD will conduct review of proposed major trip-generating projects, including those that are directly connected to RTP projects, such as freeway interchanges. Mitigate air quality impacts to the maximum extent feasible, such as by limiting parking ratios.

TCM 7 Major Investment Study requirements: Any project advanced by MTC into an RTP or TIP must first have completed an MIS process that includes the analysis of a LUTRAQ alternative, i.e., a transit alternative coupled with Smart Growth--land use densification around transit stops similar to the Western Bypass study in Portland, OR.

TCM 8 Improve the ability of MTC's transportation planning to accurately predict future conditions and thus make decisions resulting in better air quality, regional access and quality of life. In particular, the model needs to properly account for latent and induced demand and be sensitive to pedestrian-friendly land use. MTC will convene a peer review of its model by experts familiar with the current state of the modelling art.

TCM 9 Smart Growth incentives: Commit a specific percentage [to be determined] of the funds subject to MTC's discretion to Smart Growth incentives, including the Liveable Communities program and the Housing Incentive Program. Convene an Advisory Group to periodically review program criteria for effectiveness and environmental justice.

TCM 10 Promote local government commitment to Smart Growth: Before any City or County can receive a transportation improvement or funds resulting from any action by MTC, ABAG or BAAQMD, it must provide a certificate of compliance that it has completed the following actions:

[The following items identify a variety of approaches to promoting Smart Growth by creating formal mechanisms to link land use and transportation. Local land use decisions directly produce consequences in regional transportation funding decisions. A final program would be developed by a local government conference called by the ABAG General Assembly to develop implementation for "A Land Use Policy Framework for the San Francisco Bay Area" (ABAG, 1990). The TCM will become effective 18 months following adoption in the SIP.]

A. Require major new development to provide permanent connections to transit. Provide incentives to locate major new development near frequent transit service.

1. Require, as a condition of approval of any development of more than 50 single family homes, the formation of a, or inclusion and participation in any existing, permanent transit benefit assessment district to provide free 6 am - 10 pm, 7 days/week, shuttle bus (or other) service to the nearest express bus or rail stop, unless a transit stop with 15 minute peak period service is within 1000 ft. of the development's centroid.

2. Require, as a condition of approval of any multifamily development of 50 or more units, the formation of a, or inclusion and participation in any existing, permanent transit benefit assessment district to provide free 6 am - 10 pm, 7 days/week, shuttle bus (or other) service to the nearest express bus or rail stop, unless a transit stop with 15 minute peak period service is within 1000 ft. of the main entrance.

3. Require, as a condition of approval of development of any site with 100 or more employees, the formation of a, or inclusion and participation in any existing, permanent transit benefit assessment district to provide free 6 am - 10 pm, 7 days/week, shuttle bus (or other) service to the nearest express bus or rail stop, unless a transit stop with 15 minute peak period service is within 1000 ft. of the main entrance.

B. Report annually to MTC the number of units of housing and square feet of commercial development it has approved. Using the methodology developed by the Regional Agencies Smart Growth Strategies process, calculate the percentage of correlation between cost of housing to be built and income of jobs expected to be created, on a cumulative basis since the adoption of this TCM. Create an incentive program, where the percentage of correlation (perhaps plus a constant) is multiplied by the city's formula share of regional transportation funding.

C. Adopt a Regional Transportation Impact Mitigation Fee to raise funds for regional transportation infrastructure and mitigation for the impacts of local land use decisions on the regional transportation network. (Note that this fee would not take the place of mitigation fees for local impacts.) The fee would be proportional to the project's contribution to regional auto congestion, and could use the equations developed for the Location Efficient Mortgage.

[The concept is that the more location-inefficient a project is to frequent transit, the higher the fee. In effect, it would be a tax on sprawl, capturing for the region the costs of congestion imposed by sprawl, and thereby eliminating the externalization of transportation costs that makes fringe greenfield development look comparatively cheap for the purchaser (but not for the region). Some of the revenue generated by the proposed fee could be used to fund the TDR program proposed below. The City of Lancaster, CA enacted its Urban Structure Program in 1992. Infrastructure fees there are based on impacts and distance from the urban core, which acts as a proxy for the level of costs incurred to serve the parcel.]

TCM 11 SIP credit for transfer of development rights. The District, or others, would purchase development rights on the fringes of the Bay Area, subject to a regional land use preservation planning process. The District would arrange with urbanized jurisdictions for the use of the development rights in the vicinity of transit stops. This process would transfer density to cities, resulting in a dramatic reduction in VMT generated by new development, thus mitigating the impact of the projected rate of VMT growth exceeding the rate of population growth. [This concept is based on Dr. Holtzclaw's research, which determined that residents of more dense neighborhoods typically have lower annual vehicle use than residents of low density neighborhoods.]